

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 04/2021)

IN THE UNITED STATES DISTRICT COURT
FOR THE _____ DISTRICT OF TEXAS
_____ DIVISION

United States Courts
Southern District of Texas
FILED

MAR 05 2025

Nathan Ochsner, Clerk of Court

PHILIP HARPER #02838206
Plaintiff's Name and ID Number
1701 SAN JACINTO E41
HARRIS COUNTY, TEXAS 77002
Place of Confinement

CASE NO. _____
(Clerk will assign the number)

v.

HARRIS COUNTY SHERIFF DEPARTMENT
Defendant's Name and Address

Defendant's Name and Address

Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

FILING FEE AND IN FORMA PAUPERIS (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$52.00 for a total fee of \$402.00.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "...if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$52.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "NOTICE TO THE COURT OF CHANGE OF ADDRESS" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? ☐ YES ☒ NO
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: _____
 2. Parties to previous lawsuit:

Plaintiff(s) _____

Defendant(s) _____
 3. Court: (If federal, name the district; if state, name the county.) _____
 4. Cause number: _____
 5. Name of judge to whom case was assigned: _____
 6. Disposition: (Was the case dismissed, appealed, still pending?) _____
 7. Approximate date of disposition: _____

II. PLACE OF PRESENT CONFINEMENT: Harris County Jail,

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? YES NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: Philip Harper As of now I'm confined
to The HARRIS County Jail Planning to Bond my
ADDRESS IS 8707 ~~Park Forest Dr~~ Parkway Forest Dr 77044

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: HARRIS County Sheriff DEPARTMENT

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

2 HARRIS County Sheriff's Along with Supervisor

Defendant #2: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

I HAVE ADDED Extra Sheet OF PAPER with the information

Defendant #3: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #4: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #5: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

~~State~~ HARRIS County Sheriff DEPARTMENT PEACE OFFICER
Violated My Rights with illegal Search of My Person
and my Vehicle, which resulted in me losing my Truck
Work Tools, Personal Cellphone etc. This Search was illegal
Harris County Peace officer did not Have A warrant.
The STOP WAS illegal and The STOP Happened on or
around Jan 31, 2024

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I would like to sue the Harris ~~County~~ Sheriff Department
for 200,000 and would like each officer removed from force

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

Philip G. Harper, Phil Harper, PGH Harper,

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

County Nat 02838206 NO OTHER numbers

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): NO

2. Case number: _____

3. Approximate date sanctions were imposed: _____

4. Have the sanctions been lifted or otherwise satisfied? YES NO

- C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES ☒ NO
- D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)
1. Court that issued warning (if federal, give the district and division): _____
 2. Case number: _____
 3. Approximate date warning was issued: _____

Executed on: 2-27-2025
DATE

(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 27 day of FEB, 2025.
(Day) (month) (year)

(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

THE REASON FOR THIS LAWSUIT I'M TIRED OF PEACE OFFICER DOING AS THEY PLEASE.
During traffic stops, then I am left to rebuild my life alone, only to
have them do illegal acts all over again. I want to follow through with
this 1983,

1. Factual Background:

All tangible was seized on or about January 31, 2024
from Philip Harper Vehicle, when Peace officers of the Harris
County Sheriff Department observed Mr. Harper walking on
a public road in ~~the~~ Harris County Texas Lead to Mr. Harper
Apartment. An officer walking towards Mr. Harper asked
for ID. There was not a emergency vehicle in sight nor
was their emergency lights Mr. Harper Refused and asked
am I being Detained the officer Replied yes when
Mr Harper Asked why The officer a suspicion, Mr. Harper
asked the officer ^{what} do you have suspicion I am or I have committed
a Crime. The officer called for Back up the officer that
came to assist the first officer also said I was being
Detained I ask for a supervisor. Because I was being
illegally Detained. The second officer search my vehicle without
a warrant the Supervisor Arrived pushed me into the
first officer on the scene area then I was Arrested
and taken to the Harris County Jail. Mr. Harper wasn't
Charged with any new Felonies, but MR. HARPER HAD open
warrant's for Violation of Probation. I'm Currently
Being held At The Harris County Jail. This Arrest
was illegal and unwarranted. "OUT OF COURT ROVER" #230

ATTORNEY
8707 PARKWAY FOREST DR.
HOUSTON, TX 77064

HARRIS COUNTY SHERIFF'S OFFICE JAIL

Name Philip Harper
SPN 02838206 Cell 4E1
Street 1701 San Jacinto
HOUSTON, TEXAS 77002



United States Courts
Southern District of Texas
FILED

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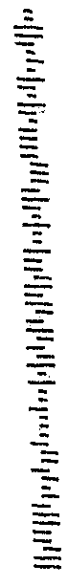
Nathan Ochsner, Clerk of Court

INDIGENT

HOUSTON TX 77002
MAR 05 2025
FIRST-CLASS

US POSTAGE
ZIP 77002 \$ 000.97
02 7W
0008034358 MAR 03 2025

United States Courthouse
515 Rusk Avenue
Houston, TX 77002



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